

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_  
**v.** : **DATE FILED:** \_\_\_\_\_  
**MAURICE LYNCH** : **VIOLATION:**  
42 U.S.C. § 7413(c)(2)(A) (Clean Air Act  
false statement – 1 count)

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times material to this information:

1. In or about June of 2005, defendant MAURICE LYNCH became the Environmental and Safety Manager for the Diageo North America, Inc., plant located in Lehigh County, Pennsylvania (“Diageo Plant”), which manufactures spirits and other alcoholic beverages.
2. In or about June of 1998, the Pennsylvania Department of Environmental Protection (“PADEP”), pursuant to its federally authorized Clean Air Act program, issued for the Diageo Plant a Clean Air Act Title V permit (“Permit”). The Permit required, among other things, that weekly monitoring of the Diageo Plant equipment be performed to determine the presence of fugitive and visible emissions, and that accurate records be maintained of such monitoring.
3. As Environmental and Safety Manager, defendant MAURICE LYNCH was responsible for ensuring that weekly fugitive and visible air emissions monitoring was performed in compliance with the Permit and that accurate monitoring records were maintained.
4. From on or about July 1, 2005 to on or about November 5, 2005, defendant MAURICE LYNCH failed to conduct weekly fugitive and visible air emissions monitoring and

failed to maintain accurate records of such monitoring as required by the Permit.

5. On or about November 14, 2005, PADEP inspected the Diageo Plant to determine Diageo's compliance with the terms and conditions of the Permit.

6. During the November 14, 2005 inspection, defendant MAURICE LYNCH ordered employees to assist him in creating false monitoring reports that stated that weekly fugitive and visible air emissions monitoring had been performed from on or about July 1, 2005 through on or about November 5, 2005, when, in fact, defendant LYNCH knew that such monitoring had not been performed.

7. During the November 14, 2005 inspection, defendant MAURICE LYNCH presented these falsified records to PADEP.

8. On or about November 14, 2005, in the Eastern District of Pennsylvania and elsewhere, defendant

**MAURICE LYNCH**

knowingly made false material statements and representations in documents required to be maintained pursuant to the Clean Air Act by creating and causing to be created records that falsely stated that weekly fugitive and visible air emissions monitoring had been performed at the Diageo Plant for the time period of on or about July 1, 2005 to on or about November 5, 2005, when, in truth and in fact, defendant LYNCH knew that this air emissions monitoring had not been performed and that these records were false.

All in violation of Title 42, United States Code, Section 7413(c)(2)(A).

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**LAURIE MAGID**  
**United States Attorney**